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DWIGHT WATSON, DANIEL FARIAS,  
11 LAUREN WATSON, and NICOLE WATSON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

17 DWIGHT WATSON, DANIEL FARIAS,  
LAUREN WATSON, and NICOLE WATSON,

## Plaintiffs,

V.

20 GLENN ALBIN, DAVID MENDEZ, FRANK  
21 ST. CLAIR, MIKE D' ANTONIO, MIKE  
22 RUBINO, SANTA CLARA COUNTY, STATE  
OF CALIFORNIA, and DOES  
1-50.

## Defendants.

Case No. C06-07767 RMW (HRL)

**[PROPOSED] STIPULATED  
PROTECTIVE ORDER  
REGARDING ALLEGED  
COMPLAINTS AGAINST  
DEFENDANT ALBIN**

Trial Date: May 19, 2008  
Judge: The Hon. Ronald Whyte  
Court: 6

1           **IT IS HEREBY STIPULATED** by Plaintiffs Dwight Watson, Daniel Farias, Lauren  
 2 Watson, and Nicole Watson, and Defendant Glenn Albin, by and through their attorneys of  
 3 record, that the information referenced below, furnished to Plaintiffs Dwight Watson, Daniel  
 4 Farias, Lauren Watson, and Nicole Watson pursuant to the Order on Plaintiffs' Motion to Compel  
 5 (Docket No. 140) shall be kept confidential and used solely in connection with the preparation  
 6 and trial of this matter, United States District Court, Northern District of California, case number  
 7 C06-07767 RMW.

8           **IT IS FURTHER STIPULATED** that all material referencing or relating to complaints  
 9 that Defendant Albin allegedly used excessive force, made untrue statements in a police report, or  
 10 showed prejudice toward a person because of his or her race ("Protected Material") shall be  
 11 subject to the following restrictions:

12           1.       Albin will produce the Protected Material to Plaintiffs by close of business on  
 13 Tuesday, May 6.

14           2.       Albin will produce the Protected Material with the redactions permitted by the  
 15 Court's Order on Plaintiffs' Motion to Compel. If, at a later time, a court orders production of the  
 16 Protected Material without redactions, the provisions of this Protective Order will apply to the  
 17 unredacted Protected Material.

18           3.       Counsel may use the Protected Material only for prosecuting, defending, or  
 19 attempting to settle United States District Court, Northern District of California, case number  
 20 C06-07767 RMW.

21           4.       Counsel may disclose the Protected Material only to:

22           a.       other counsel of record for the parties in United States District Court,  
 23 Northern District of California, case number C06-07767 RMW;

24           b.       experts retained by the parties to whom disclosure is reasonably necessary  
 25 for this litigation and who have signed an "Agreement to be Bound by Protective Order;"

26           c.       during their depositions, witnesses in the action to whom disclosure is  
 27 reasonably necessary and who have signed an "Agreement to be Bound by Protective Order."

28 Pages of transcribed deposition testimony and/or exhibits to depositions that reveal Protected

1 Material must be separately bound by the court reporter and may not be disclosed to anyone  
2 except as permitted under this Stipulated Protective Order;

3                   d.       the author of the document or the original source of the information;  
4                   e.       the Court and its personnel; and  
5                   f.       court reporters, their staffs, and professional vendors to whom disclosure is  
6 reasonably necessary for this litigation and who have signed an "Agreement to be Bound by  
7 Protective Order."

8               5.       Under no circumstances shall the information disclosed pursuant hereto be used in  
9 any proceeding other than the instant case listed above, except by court order.

10              6.       Under no circumstances shall the information disclosed pursuant hereto be  
11 disseminated publicly in any form, except by court order or in the trial of the instant case listed  
12 above.

13              7.       Counsel are prohibited from releasing, disseminating, or sharing the information  
14 disclosed with anyone, with the exception of other attorneys working on this case on behalf of  
15 these parties.

16              8.       The information provided is only to be used in connection with the instant case  
17 stated above, and this material shall be returned to counsel for Defendant Albin at the conclusion  
18 of the case. Nothing in this Protective Order shall require the Court to return any materials.

19              9.       Without written permission from Defendant Albin, or a court order secured after  
20 appropriate notice to all interested persons, a party may not file in the public record in this action  
21 any protected material. A party may seek to file protected material under seal according to Civil  
22 Local Rule 79-5.

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1 Dated: May 2, 2008

LAW OFFICES OF MARK W. MARTEL

2 By: /s/ Mark W. Martel

3 Mark W. Martel  
Attorneys for Plaintiffs

4

5 Dated: May 2, 2008

K.C. ALLAN WALDRON  
MORRISON & FOERSTER LLP

6

7 By: /s/ K.C. Allan Waldron

8 K.C. Allan Waldron  
Attorneys for Plaintiffs

9

10 Dated: May 2, 2008

OFFICE OF THE SAN JOSE CITY  
ATTORNEY

11 By: /s/ Michael J. Dodson

12 Michael J. Dodson  
Senior Deputy City Attorney  
13 Attorneys for Defendant Glenn Albin

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15 **ORDER**

16 Based upon the foregoing Stipulation of the parties, and good cause appearing therefore,  
17 **IT IS SO ORDERED.**

18 DATED: 5/7, 2008

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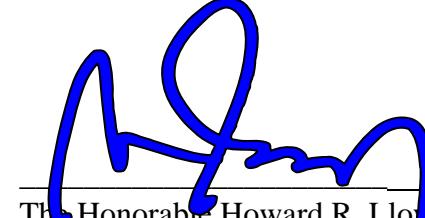
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The Honorable Howard R. Lloyd  
United States Magistrate Judge  
Northern District of California